

From: [Nelson, Russell](#)
To: [CC Grisham](#)
Cc: [Meyer, John](#); [Sanchez, Carlos](#); [Tzhone, Stephen](#); [Moran, Gloria](#); [Murray, Suzanne](#); keogh@adeq.state.ar.us; [Carpenter, Ellen](#); spencer@adeq.state.ar.us; katie.beck@governor.arkansas.gov
Subject: RE: item to which I was referring
Date: Thursday, April 23, 2015 3:53:34 PM

Kirk,

The email is all I needed to see. Makes perfect sense now. It appears that you're confusing two different actions, my review of the state's WQS revisions and any compliance or enforcement action that may be considered or pending in another Division within EPA Region 6.

When initially contacted and informed that you may be interested in speaking with me, I was operating under the impression that you may have questions directly related to the state's revised standards, which I would not be at liberty to speak about with you or anyone ADEQ, only internally as it would be pre-decisional. It was, and is a very complicated revision and some decisions remain to me made even now. If you read the email carefully, you will note my statement that "We haven't acted on the submission as required within our statutory/regulatory time frame but there's a long back-story that cannot be discussed outside the agency." That is simply how I referred to my ongoing review of the state's triennial standards revision. The rest of the email simply elaborates on that issue.

The subject of the email had absolutely nothing to do with any WQS standards that may apply to Arkwood. In fact, I'd have to do some digging to figure out what provisions would currently apply to any waters in that area.

Russell

Russell Nelson

Regional Standards Coordinator

Water Quality Protection Division

U.S. EPA, Region 6

(214) 665-6646

(214) 665-6689 fax

-----Original Message-----

From: CC Grisham [<mailto:grish@me.com>]

Sent: Thursday, April 23, 2015 3:19 PM

To: Nelson, Russell

Cc: Charles Curtis Grisham Jr.; Meyer, John; Sanchez, Carlos; Tzhone, Stephen; Moran, Gloria; Murray, Suzanne; keogh@adeq.state.ar.us; Carpenter, Ellen; spencer@adeq.state.ar.us; katie.beck@governor.arkansas.gov

Subject: item to which I was referring

Russell,



9600120

Please see attached your email I referred to today on the telephone with you.

On February 5, 2015, regarding my inquiry into ADEQ revision of Arkansas Water Quality Standards (Regulation No. 2) as "submitted to EPA for Approval March 14, 2014" (per ADEQ website,) you wrote to Stephen Tzhone:

"We haven't acted on the submission as required within our statutory/regulatory time frame but there's a long back-story that cannot be discussed outside the agency."

Obviously, I'd like to know what the Arkwood Water Quality Standards "back-story" is; that's pretty much a central purpose of my FOIA requests.

Can you tell me specifically why this potentially-crucial information "cannot be discussed outside the agency" and why EPA had not "acted on the submission as required within [y]our statutory/regulatory time frame" by the time of your writing this email?

Thanks,

Curt